

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-18680 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 16, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (4-2/gt/sd vote) and staff recommend DENIAL.

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. The applicant shall obtain all appropriate permits for the “illuminated message board” embellishment on the subject sign within 30 days of approval of this application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required One-Year Review of an approved Special Use Permit (U-0037-95) which allowed a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 4950 Rancho Drive.

The continuation of the off-premise advertising (billboard) sign use at this location is not considered appropriate. The off-premise advertising (billboard) sign is located in the exclusionary zone and does not have all of the required permits. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/17/95	The City Council approved a Special Use Permit (U-0037-95) for a 40-foot tall, 14-foot by 48-foot Off Premise Advertising (Billboard) Sign on the subject property, subject to review in five years. The Board of Zoning Adjustment and staff recommended approval.
03/24/97	The City Council adopted Ordinance No. 4073, amending the Las Vegas Zoning Code as Title 19A. The Off-Premise Sign Exclusionary Zone, including the subject site as part of a larger area, was established therein.
07/05/00	The City Council approved a Required Five-Year Review [U-0037-95(1)] of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in two years. The Planning Commission and staff recommended approval.
10/16/02	The City Council approved a Required Two Year Review [U-0037-95(2)] of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in two years. The Planning Commission and staff recommended approval.
11/17/04	The City Council approved a Required Two Year Review (RQR-5166) of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in one year. The Planning Commission recommended approval and staff recommended denial.
01/18/06	The City Council approved an appeal of the Planning Commissions decision to deny a Required Two Year Review (RQR-5166) of an approved Special Use Permit which allowed the off-premise sign, thereby allowing the use to continue on the subject property, subject to review in one year. The Planning Commission and staff recommended denial.
03/08/07	A site inspection was conducted and photographs were taken depicting an illuminated message board.

04/12/07	The Planning Commission voted 4-2/gt/sd to recommend DENIAL (PC Agenda Item #78/ng).
<i>Related Building Permits/Business Licenses</i>	
06/26/95	A building permit (#95874141) was issued for a sign at 4950 North Rancho Drive. A final inspection was completed 07/28/95.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	10.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residential	SC (Service Commercial)	R-E (Residence Estates)
South	Undeveloped	MLA (Medium-Low Attached Density Residential)	C-1 (Limited Commercial) under Resolution of Intent to R-PD11 (Residential Planned Development – 11 Units per Acre)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Casino	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200-Foot)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Off-Premise Advertising (Billboard) Sign	Minimum 300-foot distance separation from any other off-premise sign	Approximately 400 feet separation	Y
Location	No off-premise sign may be located within the public right-of-way	Located east of the Rainbow Boulevard right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The north and south faces are each 672 square feet.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 190 feet from the right-of-way line of the intersection of Rainbow Boulevard and Rancho Drive.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view by sign faces and metal panel on side not facing the right-of-way	Y

Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
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ANALYSIS

This is the fifth review of the subject off-premise advertising (billboard) sign. One of the sign faces of the off-premise advertising (billboard) sign contains an illuminated message board, which does not have a permit. Additionally, the sign is located within the Billboard Exclusionary Zone. It was constructed in this area prior to adoption of the Exclusionary Zone in 1997 and continues as a nonconforming use. The subject site is located in the Rancho Corridor. A Multi-Use Transportation Trail is proposed along the north side of Rancho Drive adjacent to the subject property. The off-premise advertising (billboard) sign does not have all of the required permits and is located in the exclusionary zone. Denial of this request is recommended.

FINDINGS

The continuation of the off-premise advertising (billboard) sign use at this location is not considered appropriate. The billboard is located in the exclusionary zone and does not have all of the required permits. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 227 by City Clerk

APPROVALS 0

PROTESTS 1